

Application No. 10/626,989  
Response dated 08/29/2007  
Reply to Office Action dated 07/10/2007  
Page 6 of 12

**REMARKS:**

These remarks are in response to the non-final Office Action mailed July 19, 2007, in which claims 1, 5-16 and 19-28 are pending. Claims 1, 5-16 and 19-28 stand rejected.

In the present application, claims 1, 11 and 26 are independent. Claims 1 and 11 have been amended to incorporate the recitation of claim 5 that "the step of forming of the shaving aid body comprises the step of injecting the soap material in flowable form into the closed second mold." Claim 11 has similarly been amended to recite the soap material is injected "in flowable form" into the closed second mold. Support for this amendment can be found in claim 5 and paragraph [0006] of the specification. Claim 5 has been canceled. Claim 6 has been amended to direct its dependency to claim 1 from now-canceled claim 5. No new matter was added in making these amendments.

The Examiner rejected claims 1, 5-8, 11, (claims 12-13 on page 7 of the Office Action), 19-20, 24-28 under 35 U.S.C. 103(a) as being allegedly unpatentable over Conrad Jr. et al. (5,079,839) in view of Brown Jr. et al. (6,852,262), further in view of Welsh (5,603,161).

In making the rejection of independent claims 1, 11 and 26 the Examiner, on pages 2, 3-4 and 5 respectively of the Office Action stated Conrad Jr. shows that it is known to carry out a method for producing a shaving aid cartridge comprising the steps of forming a base and sequentially forming a shaving aid body. The Examiner went on to allege that Brown Jr. shows a first mold including a base portion having a centrally located aperture sized to receive a razor cartridge (col. 2, lines 55-64). In rejecting claim 11 the Examiner went on to state that Brown Jr. shows a first mold having features for attaching the shaving aid cartridge to a razor assembly (col. 2, lines 28-45). These recitations of Brown Jr. are reproduced below for convenience:

(lines 28-45) Some implementations of this aspect of the invention include one or more of the following features. The blade slot includes a lead-in area configured to facilitate loading of the blade into the blade slot. The resin-delivering step comprises capturing the ends of the blade in plastic. The lead-in area comprises angled regions on the sides of the blade slot. The lead-in area further comprises angled regions on the ends of the blade slot. The lead-in area, when viewed from above the blade slot,

Application No. 10/626,989  
Response dated 08/29/2007  
Reply to Office Action dated 07/10/2007  
Page 7 of 12

has a generally bowed shape to accommodate bowing of the blade. The blade slot includes a lower portion having substantially vertical sides, configured to position the blade. The delivering step comprises delivering a plurality of resins to the molding cavity, each resin forming a portion of the housing. At least one of the resins comprises a compliant material. The method further includes retaining the blade support in the blade slot by a retention means selected from the group consisting of vacuum, magnetic, and mechanical means.

(lines 55-64) The method further includes providing coring areas in the molding cavity beyond each of the blade ends, configured to provide a flexible region of plastic adjacent each blade end in the finished product. The core member is removable from the molding cavity. The method further includes inserting the core member into the molding cavity. The supported blade is loaded into the core member prior to insertion of the core member into the molding cavity. The cartridge includes a plurality of blades, and the core member defines a corresponding number of elongated blade slots.

The Applicants respectfully contend the Examiner is misinterpreting the recitations of claims 1, 11 and 26. In these claims it is the thermoplastic base that has a centrally located aperture sized to receive a razor cartridge and features for attaching the shaving aid cartridge to a razor assembly. In contrast to the present application it is the removable core member of the mold of Brown Jr. that includes a blade slot sized to receive only a supported blade. The support of the supported blade of Brown Jr. is retained in the blade slot by the various means listed above. The removable core member is not formed in the mold of Brown Jr but merely acts as a vehicle to assist loading blade(s) into Brown Jr.'s mold. After Brown Jr.'s razor cartridge is formed and demolded the removable core on the core block is removed from the razor cartridge and can be reused for the manufacture of a further razor cartridge (col. 8 line 19-20). Moreover, the recitation of claims 1, 11 and 26 is that the aperture of the thermoplastic base is sized to receive a razor cartridge. A razor cartridge, as is well known in the art, typically comprises a housing or frame having a guard and a cap, and at least one razor blade. This is described in at least paragraph [0002] of the present application, partially shown as 18 in fig. 1 and described in application serial number 10/367,255 incorporated by reference in the present application. Brown Jr., on the other hand, is directed to methods of manufacturing razor cartridges using insert molding to capture a supported blade in a molded plastic housing. Even if, *arguendo*, the housing of Brown Jr. was considered a base in the context of the present application, this does not include an aperture sized to receive a razor

Application No. 10/626,989  
Response dated 08/29/2007  
Reply to Office Action dated 07/10/2007  
Page 8 of 12

cartridge. Inasmuch as Brown Jr.'s cartridge includes an aperture (as best seen in fig. 1 and 1A) it is not sized to receive a razor cartridge but is sized to capture a supported razor blade by encasing the ends of the blade in resin (as best seen in fig. 1B). Furthermore the supported blade of Brown Jr. is not received in the aperture but rather the aperture is created partially along two sides of the blade. The Applicants therefore contend that Conrad Jr. and Brown Jr. alone or in combination fail to disclose a base having a centrally located aperture sized to receive a razor cartridge and features for attaching the shaving aid cartridge to a razor assembly as recited in claims 1, 11 and 26.

In rejecting claims 1, 11 and 26 the Examiner went on to concede that Conrad Jr. does not show a shaving aid body that comprises a soap material. The Examiner alleged that Welsh shows that it is known to carry out a method for making a shaving aid cartridge wherein the shaving aid body comprises (soap) (col. 7 lines 3-8).

The disclosure of Welsh is directed to a visual wear indicator for a shaver that may incorporate a shaving aid. Welsh includes a number of embodiments but only one embodiment discloses the use of soap as a shaving aid. This embodiment is described between col 6, line 64 and col. 7 line 57. In this embodiment Welsh discloses a shaving aid composite comprising a water insoluble polystyrene/polypropylene matrix containing or impregnated with a (fatty) acid soap. The object of the Welsh two-ingredient shaving aid composite is disclosed at col. 6, line 65 to col. 7 line 2 "either the matrix 70 or the water soluble active ingredient may include a first color and a second different color. That is, as the matrix 70 is abraded during normal use, the newly exposed portion may include the second color." Thus each of the polystyrene/polypropylene matrix and active ingredient is required for the shaving aid composite of Welsh to function as disclosed. Welsh goes on to disclose at col 7, lines 32-38 "[T]he shaving aid composite 60 is adhered to the cartridge 20, e. g. in a recess provided thereof. The manner of adherence is not critical and may for example be by means of an adhesive layer 74 as shown in FIG. 7, heat sealing, spot welding, or any of the other known methods of joining two substrates including photopolymerization to form an adhesive." The Applicants contend this disclosure of Welsh neither discloses nor suggests injecting the shaving aid material in flowable form into a closed second mold containing a base. In order for the two-component shaving aid composite of Welsh to be in flowable form each of the ingredients, ie the polystyrene/polypropylene matrix and the (fatty) acid soap, must be in flowable form, i.e melted. As Applicants argued in the response dated 02/02/07, a

Application No. 10/626,989  
Response dated 08/29/2007  
Reply to Office Action dated 07/10/2007  
Page 9 of 12

soap material as recited in the context of claims 1, 11 and 26 comports to the plain meaning of soap, i.e. a composition saponified or neutralized from a mineral or vegetable oil or an animal fat and may also include a synthetic detergent as defined in paragraph [0022] of the present application. This would be well known to one of skill in the art. A soap material as thus defined inherently requires a moisture content of between about 4% and about 15% or more in order to maintain its integrity as a waxy solid body. If a soap material is entirely dessicated to remove its moisture content it will generally form a loose powder and lose its integrity as a solid body. Welsh fails to disclose the melting point of the polystyrene/polypropylene matrix, however one of skill in the art would understand the melting point of the matrix to be far greater than 100° C. Thus in order for the shaving aid composite of Welsh to be in flowable form this must be at a temperature in excess of 100° C (the boiling point of water at S.T.P.), thus the soap ingredient would become dessicated and lose its integrity as a solid body. The Applicants therefore contend that one of skill in the art would have no expectation of success if the shaving aid composite of Welsh was processed "in flowable form." Even if, *arguendo*, the shaving aid composite of Welsh was modified to consist solely of (fatty) acid soap then the device of Welsh, i.e. a visual wear indicator, would fail to function as disclosed.

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The Applicants contend that Conrad Jr., Brown Jr. and Welsh, individually or in combination fail to disclose, teach or suggest at least the limitations "a base having a centrally located aperture sized to receive a razor cartridge" and injecting the shaving aid material in flowable form as in independent claims 1, 11 and 26. Dependent claims, by definition, further define the subject matter of the independent claim from which they depend. Because claims 6-8 and 19-20 depend from claim 1, claims 12-13 and 24-25 depend from claim 11 and claims 27-28 depend from claim 26, these claims add recitations that further define the subject matter of independent claims 1, 11 and 26. As claims 1, 11 and 26 are believed to be allowable, claims 6-8, 12-13, 19-20, 24-25 and 27-28 are therefore also believed to be allowable. The Applicants therefore respectfully request the Examiner to

Application No. 10/626,989  
Response dated 08/29/2007  
Reply to Office Action dated 07/10/2007  
Page 10 of 12

reconsider and withdraw the rejections of claims 1, 6-8, 11-13, 19-20, 24-28 under 35 U.S.C. 103(a) as being unpatentable over Conrad Jr. Brown Jr. and Welsh. The rejection of claim 5 is moot as this claim has been canceled.

The Examiner rejected claims 9-10, 14 and 21 under 35 U.S.C. 103(a) as being allegedly unpatentable over Conrad Jr., Brown Jr. and Welsh in view of Vreeland et al. (5,345,680).

The disclosure of Vreeland is directed to a shaving aid for use with a wet razor comprising a water insoluble polymeric material including at least two different polymers, and a water soluble active ingredient, such as polyethylene oxide.

Claims 9-10 and 21 depend from claim 1. Claim 1 has been amended as previously described. Claim 14 depends from claim 11. Claim 11 has been amended as previously described.

The Applicants contend that Vreeland fails to correct the deficiencies of Conrad Jr., Brown Jr. and Welsh at least as these apply to the recitations of claims 1 and 11 of "a base having a centrally located aperture sized to receive a razor cartridge" and injecting (the soap material) in flowable form. Because claims 9-10 and 21 depend from claim 1 and claim 14 depends from claim 11, these claims add recitations that further define the subject matter of independent claims 1 and 11. As claims 1 and 11 are believed to be allowable, claims 9-10, 14 and 21 are therefore also believed to be allowable. The Applicants therefore respectfully request the Examiner to reconsider and withdraw the rejections of claims 9-10, 14 and 21 under 35 U.S.C. 103(a) as being unpatentable over Conrad Jr. Brown Jr. and Welsh in view of Vreeland.

The Examiner rejected claims 15-16 under 35 U.S.C. 103(a) as being allegedly unpatentable over Conrad Jr., Brown Jr. and Welsh in view of Vreeland, further in view of Reischl (4,595,709).

The disclosure of Reischl is directed to polyaddition products containing urethane groups produced by reacting an isocyanate group containing distillation residue with a compound having a molecular weight less than 600 containing at least two alcoholic hydroxyl groups. The polyaddition products are useful as molding compositions, reactive fillers and starting materials in the production of flame-resistant polyurethane plastics.

Application No. 10/626,989  
Response dated 08/29/2007  
Reply to Office Action dated 07/10/2007  
Page 11 of 12

Claims 15-16 depend indirectly from claim 11. Claim 11 has been amended as previously described.

The Applicants contend that Reischl fails to correct the deficiencies of Conrad Jr., Brown Jr., Welsh and Vreeland at least as these apply to the recitations of claim 11 of "a base having a centrally located aperture sized to receive a razor cartridge" and injecting (the soap material) in flowable form. Because claims 15-16 depend from claim 11, these claims add recitations that further define the subject matter of independent claim 11. As claim 11 is believed to be allowable, claims 15-16 are therefore also believed to be allowable. The Applicants therefore respectfully request the Examiner to reconsider and withdraw the rejections of claims 15-16 under 35 U.S.C. 103(a) as being unpatentable over Conrad Jr. Brown Jr. and Welsh in view of Vreeland and further in view of Reischl.

The Examiner rejected claims 22, 23 and 25 under 35 U.S.C. 103(a) as being allegedly unpatentable over Conrad Jr., Brown Jr. and Welsh in view of Vreeland, further in view of Brams (5,788,995).

Brams discloses after a thermoplastic synthetic resin has been injection molded onto a transfer plate in a thermoplastic injection mold, the transfer plate is shifted into a silicone injection mold maintained at a high temperature and a silicone member is injection molded onto the thermoplastic member.

Claims 22-23 depend from claim 1. Claim 1 has been amended as previously described. Claim 25 depends from claim 11. Claim 11 has been amended as previously described.

The Applicants contend that Brams fails to correct the deficiencies of Conrad Jr., Brown Jr., Welsh and Vreeland at least as these apply to the recitations of claims 1 and 11 of "a base having a centrally located aperture sized to receive a razor cartridge" and injecting (the soap material) in flowable form. Because claims 22-23 depend from claim 1 and claim 25 depends from claim 11, these claims add recitations that further define the subject matter of independent claims 1 and 11. As claims 1 and 11 are believed to be allowable, claims 22-23 and 25 are therefore also believed to be allowable. The Applicants therefore respectfully request the Examiner to reconsider and withdraw the rejections of claims 22-23 and 25 under 35 U.S.C. 103(a) as being unpatentable over Conrad Jr. Brown Jr. and Welsh in view of Vreeland and further in view of Brams.

**RECEIVED  
CENTRAL FAX CENTER****AUG 29 2007**

Application No. 10/626,989  
Response dated 08/29/2007  
Reply to Office Action dated 07/10/2007  
Page 12 of 12

**SUMMARY:**

In summary, the Applicants believe that the foregoing remarks are fully responsive to the Office Action and that the claims herein are allowable. The Applicants therefore respectfully request that the rejections be withdrawn and the present application be passed onto allowance.

The Applicants believe that no additional fees are due with the filing of the present response, however, if any additional fees are due, authorization is given to charge Deposit Account No 50-4112.

Respectfully submitted,

By 

David C. Coffin  
Registration No. 57,908

Michaud-Duffy Group LLP  
306 Industrial Park Road, Suite 206  
Middletown, CT 06457-1532  
Phone: (860) 632-7200  
Fax: (860) 632-8269